

### **REMARKS/ARGUMENTS**

This is a full and timely response to the Office action of September 14, 2006. No claims have been amended. Paragraphs [0042], [0051], and [0062] have been amended and paragraphs [0043]-[0050] deleted. No new material has been introduced.

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#### **1. Claim rejections 35 USC 112, first paragraph**

Claims 1-16 are rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. In paragraph [0062] of the specification, it is stated the calculation of playout delay is carried out by Equation 2. But in Equation 2, there is  
10 nothing related to “the detected packet communication mode” and “the playout delays of previous packets”.

Paragraph [0062] has been amended removing the specific reference to an erroneously filed Equation 2, as have paragraphs [0042] and [0051]. The variables utilized  
15 in the calculation of the playout delay, listed in paragraphs [0043]-[0050] and cited elsewhere ([0052]) in the specification, have been incorporated into paragraph [0042] and paragraphs [0043]-[0050] have been cancelled. A description of how each of the variables is to be used can be found in paragraph [0052]. No new material has been introduced.

20 Of record and as detailed in the response to the previous Office action, the applicant asserts that the amended specification does enable one skilled in the art to make and/or use the present invention without undue experimentation, as is required for enablement, and respectfully requests reconsideration and allowance of claims 1-16.

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Sincerely yours,



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